

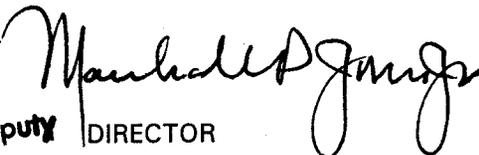


U.S. FISH AND WILDLIFE SERVICE TRANSMITTAL SHEET

PART 243 FW 1-5	SUBJECT Motor Vehicle and Motor Equipment Safety Safe Operation of Motor Vehicles and Motor Equipment Special Purpose Trucks Heavy-Duty Motor Equipment Powered Industrial Trucks Towing, Cargo Carrying, and Load Securement	RELEASE NUMBER 444
FOR FURTHER INFORMATION CONTACT Division of Safety and Health		DATE April 1, 2004

EXPLANATION OF MATERIAL TRANSMITTED:

The chapters in Part 243 establish Fish and Wildlife Service policies for the safe operation of motorized vehicles and motor equipment. 243 FW 1 provides authorities and definitions, assigns responsibilities, and outlines general requirements for the safe operation of motor vehicles and motor equipment. 243 FW 2 establishes safety requirements for fish distribution, fire, and dump trucks. 243 FW 3 outlines safety requirements for heavy-duty motor equipment. 243 FW 4 provides requirements for the safe operation of powered industrial trucks. 243 FW 5 provides safety requirements for towing, carrying cargo, and load securement.


Deputy DIRECTOR

FILING INSTRUCTIONS:

Remove:

241 FW 2, 09/22/95, FWM 215
Exhibit 1, 241 FW 2, 09/22/95, FWM 215

Insert:

243 FW 1, 04/01/04, FWM 444
243 FW 2, 04/01/04, FWM 444
243 FW 3, 04/01/04, FWM 444
243 FW 4, 04/01/04, FWM 444
243 FW 5, 04/01/04, FWM 444

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OCCUPATIONAL SAFETY AND HEALTH**

Occupational Safety and Health

Part 243 Motor Vehicle and Motor Equipment Safety

Chapter 1 Safe Operation of Motor Vehicles and Motor Equipment

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1.1 What is the purpose of this Part? The chapters in Part 243 establish Fish and Wildlife Service policies for the safe operation of motorized vehicles and motor equipment. This chapter provides authorities and definitions, assigns responsibilities, and outlines general requirements for the safe operation of motor vehicles and motor equipment. 243 FW 2 establishes safety requirements for fish distribution, fire, and dump trucks. 243 FW 3 outlines safety requirements for heavy-duty motor equipment. 243 FW 4 provides requirements for the safe operation of powered industrial trucks. 243 FW 5 provides safety requirements for towing, carrying cargo, and load securement.

1.2 To whom do these chapters apply? The chapters in Part 243 apply to Service employees and volunteers who operate motorized vehicles and equipment and their project leaders and supervisors.

1.3 Are there instances where this chapter does not apply? Vessels and aircraft are not within the scope of this chapter, nor does it apply to contractors who operate or transport their own motorized vehicles and equipment within the scope of an awarded contract or written agreement; e.g., Cooperative Farming Agreements. Such contractors must comply with applicable Federal, State, and/or local regulations.

1.4 What are the authorities for this Part?

A. Public Law 91-596, Section 19, Federal Agency Safety Programs and Responsibilities.

B. 29 CFR 1910, Occupational Safety and Health Standards.

C. 29 CFR 1926, Safety and Health Regulations for Construction.

D. 29 CFR 1928, Occupational Safety and Health Standards for Agriculture.

E. 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters.

F. 49 CFR 392 (Driving of Commercial Motor Vehicles) and 393 (Parts and Accessories Necessary for Safe Operation), Department of Transportation (DOT).

G. Executive Order 12196, Occupational Safety and Health Programs for Federal Employees.

H. 485 DM 16, Motor Vehicle Safety.

1.5 Is there other guidance on motor vehicle safety?

A. State DOT regulations.

B. Applicable Equipment Manufacturer's Operating Manuals and Guidance.

C. American National Standards Institute (ANSI) Z358.1-1990, Emergency Eyewash and Shower Equipment.

D. ANSI B56.1-1969, Powered Industrial Trucks.

1.6 What definitions are useful in understanding the requirements of this Part?

A. Commercial Motor Vehicle. A motor vehicle used to transport passengers or property that (1) has a gross combination weight rating of more than 10,000 pounds, or a gross vehicle weight rating of 26,001 pounds or more, or (2) is designed to transport 16 or more passengers (dependant upon State requirements) including the driver, or (3) transports any hazardous materials that require placarding under various hazardous materials regulations such as 49 CFR 172, subpart.

B. Light-Duty Motor Vehicle. Includes sedans, station wagons, pick-up trucks, and vans that do not meet the definition of a commercial motor vehicle.

C. Motor Equipment - Heavy Duty. Includes crawler-dozers, crawler-loaders, four-wheel-drive loaders (articulating or straight frame), motor graders (articulating or straight frame), draglines, power excavators, motor cranes, farm tractors (all two and four-wheel-drive tractors, or tracked tractors more than 20 engine horse power at the flywheel), amphibious/soft tracked equipment (wheeled or tracked), industrial tractors (front-end loader/backhoes), skid steers, forklifts, industrial powered lift trucks and specialty equipment such as Weasels, Thiokols, and Hydro-Axes as identified in 321 FW 1.

D. Motor Equipment - Light Duty. Includes motorcycles, all-terrain vehicles, riding lawn mowers, and other equipment not required to have a rollover protective structure, as defined in 29 CFR 1926, subpart W.

E. Driving Time/Drive. Time spent by the operator at the controls while a motor vehicle is in operation.

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F. Gross Vehicle Weight (GVW). The combined weight of the motor vehicle and any load thereon.

G. Motor Equipment. Any equipment that is self-propelled or drawn by mechanical power and designed to be principally operated off highways. Includes construction and maintenance equipment, material handling equipment, and forestry and agricultural equipment.

H. Motor Vehicle. Any vehicle, self-propelled or drawn by mechanical power, designed to be principally operated on highways to transport property or passengers. Includes sedans, station wagons, carryalls, ambulances, buses, motorcycles, tractors, and trucks, including trucks with specialized mounted equipment, such as fire trucks and garbage trucks.

I. Off-Road Vehicle. Any vehicle, including all-terrain vehicles (ATV), designed to carry personnel and materials across rough terrain. The vehicle may be restricted from operating on public roads reserved for general motor vehicle traffic.

J. Powered Industrial Truck. Mobile, power-propelled truck used to carry, push, pull, lift, stack, or tier materials. These include fork trucks, high lift trucks, motorized hand trucks, and other specialized industrial trucks powered by electric motors or internal combustion engines. The term does not apply to compressed air or nonflammable compressed gas operated industrial vehicles, nor to vehicles intended primarily for earth moving or over-the-road hauling.

K. Truck. A motor vehicle designed and used for transportation of property or special purpose equipment. The power source and the cargo-carrying portion are contained on a single frame and does not include tractors, trailers, or combinations thereof. "Cushman" and similar four-wheel burden and passenger carrying vehicles fall into this classification.

L. Volunteer. An individual who has signed a Volunteer Service Agreement in accordance with 150 FW 1.

M. Working Load Limit (WLL). The maximum load that you may apply during normal service, and usually assigned by the manufacturer of the component. The aggregate WLL is the total WLL of all devices used in the tie-down assembly (e.g., four tie-down assemblies, each graded/rated at 6,600 pounds equals an aggregate WLL of 26,400 pounds).

1.7 Who is responsible for the safe operation of vehicles and equipment?

A. Chief, Division of Safety and Health will:

- (1) Revise and update Part 243 as necessary.
- (2) Provide interpretation of the requirements of Part 243 and serve as a consultant to resolve Servicewide issues or questions.

B. Regional Directors must provide sufficient support and resources to effectively implement the requirements of the chapters in this Part within their Region.

C. Regional Safety Managers will:

- (1) Provide interpretation of the requirements 243 FW 1-5 and serve as an advisor to resolve Regionwide issues and questions.
- (2) Evaluate implementation of the requirements of Part 243 during Regional field station safety program evaluations.

D. Project Leaders/Supervisors will:

- (1) Ensure that operations under their control comply with Service policies related to vehicle/equipment operation such as 320 FW 1, 320 FW 5, 321 FW 1, and 243 FW 1-5.
- (2) Ensure employees complete all required training (e.g., load securement training, heavy equipment safety operator training, etc.) and are properly licensed for the class of vehicle being operated.
- (3) Ensure that employees who must possess a commercial driver's license (CDL) as a condition of employment participate in the Department of the Interior (DOI) Random Drug Testing Program.
- (4) Ensure the safety, security, proper care and use of vehicles. Vehicle operators will conform to State, local, and Federal Highway Administration regulations.

E. Vehicle and equipment operators will:

- (1) Operate vehicles and equipment in a safe and prudent manner and comply with the requirements of Federal, State, and local regulations, Part 243, and other Service policies related to vehicle and equipment operations such as 320 FW 1, 320 FW 5, and 321 FW 1.
- (2) Wear prescribed personal protective equipment as well as the provided seatbelt or occupant restraint system

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whenever the vehicle/equipment is operated. The operator must require passengers to wear their provided seatbelts (if so designed) before he or she puts the vehicle/equipment in motion.

(3) Check the route of travel to ensure sufficient overhead and side clearance. Operators should look for narrow culverts, width and load limits of bridges, low overhead power lines, and similar hazards.

(4) Maintain knowledge of load weight, width, height, and permit requirements.

(5) Make sure that all loads are secure and that no materials will fall from the vehicle. Check loads at each stop and at appropriate intervals as stated in 243 FW 5.

(6) Load, block, and secure large and heavy loads in an acceptable manner. You must secure loads and equipment in accordance with DOT regulations (49 CFR 393) and chapters in this Part.

(7) Keep unnecessary personnel away from the vehicle/equipment during loading, operating, repairing, or unloading operations. The operator will ensure that any person used to direct or spot heavy duty motor equipment wears high visibility safety apparel where required or appropriate (e.g., reflective vest, hard hat, etc.) and has adequate means to communicate to the operator or maintain a direct line of sight.

(8) Conduct an inspection or walk-around check before starting the engine to check basic mechanical and safety features and ensure that personnel are clear of the equipment.

(9) Identify any needed repairs, adjustments, and safety deficiencies and notify the supervisor of the findings before any vehicle/equipment is used. Any vehicle/equipment found to be in an unsafe operating condition must be removed from service, repaired or replaced, and reinspected before being placed back in service.

(10) Turn engines off before refueling and, where appropriate, ground the nozzle, funnel, or container when filling the fuel tank. To avoid static electricity buildup and fire potential, do not fill portable gasoline containers while in contact with a vehicle's plastic bed-liner. You must place such containers on the ground or on a concrete surface prior to filling.

(11) If required for the employment position, comply with all State CDL requirements and DOI Random Drug Testing Program requirements.

(12) Remove keys and lock vehicles/equipment to guard against theft or damage.

1.8 What are the general requirements associated with operating motor vehicles and motor equipment?

Service vehicles and equipment must comply with DOT rules and regulations and with appropriate State requirements regarding items such as safety equipment, retro reflective sheeting/tape, lights, placards, warning flags, and oversize/wide load signs. Vehicles and equipment must be maintained according to the manufacturer's recommended guidelines. If operating manuals are not available, contact the dealer or the manufacturer to request a copy. Vehicles and equipment on loan to the Service will be operated in compliance with Service safety regulations. Vehicles that are carrying flammable liquids, explosives, or hazardous materials will be marked or placarded as required by DOT standards in 49 CFR 172.

1.9 How long can a driver operate a vehicle?

Operators may not drive/operate a vehicle more than 10 hours at a time. However, if an operator cannot safely complete a run within 10 hours because of unanticipated adverse driving conditions, he/she may drive up to 2 additional hours to allow for completing the run or reaching a place offering safety for the vehicle occupants and security for the vehicle and its cargo. Drivers of a commercial motor vehicle must adhere to the driving times required in 49 CFR 395.

1.10 Are passengers allowed in Service vehicles?

Authorized passengers are allowed only in vehicles designed to carry passengers. Unofficial passengers will not be transported in Government vehicles, except in rare instances and only in accordance with Service policy; e.g., 320 FW 5 and/or other applicable Service policies.

1.11 Do some passenger vehicles have specific safety considerations?

A. When employees operate vans with the capability of transporting more than 14 passengers, supervisors will brief them on van rollover risks and avoidance guidance. Supervisors and operators may access such guidance via the National Highway Traffic Safety Administration and DOT public information websites.

B. Facilities that own or operate passenger/school buses or vehicles with passenger capacities of 16 or more must

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meet requirements in 320 FW 4 and comply with all State requirements for marking and operator training/licensing.

1.12 Are there special requirements when the vehicle is used in firefighting? In addition to conforming to the requirements of this Part, vehicles used during prescribed and wildland fires must conform to the requirements in 241 FW 7 and applicable Departmental policies.

1.13 Must vehicles have emergency/first aid equipment?

A. All vehicles will have a first aid kit. Supervisors will brief operators about the contents of the kit and will check the kit routinely to ensure it is appropriately stocked.

B. All vehicles must have a DOI motor vehicle accident reporting kit, DI-135, in the vehicle at all times. Supervisors must instruct vehicle operators on what to do in the event of an accident.

C. Operators of vehicles in remote or isolated areas must plan their trips taking into consideration preparations for mechanical breakdowns or other emergencies. Vehicles should be equipped with survival kits appropriate to the operating environment.

1.14 Are fire extinguishers required?

A. Light duty motor vehicles, less than 10,000 lbs. GVW, used for field work or carrying passengers, must be equipped with not less than a 2 ½ lb. ABC type fire extinguisher rated at 1A:10BC. All other light duty motor vehicles less than 10,000 lbs. GVW can be equipped with fire extinguishers at the discretion of the local manager.

B. Motor vehicles with a GVW between 10,000 lbs. and 26,000 lbs. must be equipped with not less than a 2 1/2 lb. ABC type fire extinguisher rated at 1A:10BC.

C. All commercial vehicles as defined in paragraph 1.6A and 49 CFR 383.5 must be equipped with not less than a 5 lb. ABC type fire extinguisher rated at 3A:40BC or as required in 49 CFR 393.95(a).

D. All heavy duty motor equipment as defined in paragraph 1.6C must be equipped with not less than a 2 ½ lb. ABC type fire extinguisher rated at 1A:10BC unless the equipment is used in a combustible environment or used in a manner that may generate sparks or heat. If the equipment is operated under these conditions, it must be equipped with a fire extinguisher not less than a 10 lb. ABC type rated at 4:A:60BC. For instance, heavy equipment similar to Gyro-Tracs, Hydro-Axes, excavators

with mowing heads/shears and Marsh Masters normally operate in a combustible environment and must be equipped with not less than a 10 lb. ABC fire extinguisher.

E Each fire extinguisher must be adequately secured within or on the vehicle by a cage, harness, or strap that adequately protects the extinguisher and vehicle occupants. Each extinguisher will be maintained and inspected per 29 CFR 1910.157.

F. As required in 29 CFR 1926.150, a fire extinguisher rated not less than 10B will be provided within 50 feet of wherever more than 5 gallons of flammable or combustible liquids or 5 pounds of flammable gas are being used on the jobsite. This requirement does not apply to the integral fuel tank of motor vehicles.

1.15 Are there requirements for servicing tires?

Servicing of tires mounted on multi-piece rims must comply with Occupational Safety and Health Administration (OSHA) Standards, 29 CFR 1910.177. You may order two charts on multi-piece rim wheels (Demounting and Mounting Procedures for Truck/Bus Tires, and Multi-piece Rim Mounting) from the OSHA Publications Office, 200 Constitution Avenue, NW, Washington, DC 20210, or the local OSHA area office.